

**Assembly Bill No. 141**

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Passed the Assembly August 27, 2014

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*Chief Clerk of the Assembly*

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Passed the Senate August 13, 2014

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2014, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to amend Sections 1967.2 and 1967.3 of, and to add Section 1967.35 to, the Streets and Highways Code, and to amend Section 2 of Chapter 317 of the Statutes of 2008, relating to transportation, and declaring the urgency thereof, to take effect immediately.

## LEGISLATIVE COUNSEL'S DIGEST

AB 141, Ammiano. Treasure Island Transportation Management Act.

Existing law, the Treasure Island Transportation Management Act, authorizes the Board of Supervisors of the City and County of San Francisco to designate a board or agency to act as the transportation management agency for Treasure Island, defined to also include Yerba Buena Island. The act authorizes the transportation management agency, pursuant to the terms of a resolution or ordinance adopted by the board of supervisors, to recommend an initial fee structure for congestion pricing fees to be adopted by the board of supervisors and the San Francisco County Transportation Authority, and to adopt on-street and off-street parking fees, fines, and penalties, and other parking-related revenues and a transit pass fee structure for Treasure Island. The act specifies the powers and duties of the agency on these and other related matters, including the adoption and administration of a transportation program, the collection and use of revenues generated from those fees, and coordination with the San Francisco Municipal Transportation Agency.

This bill would rename the Treasure Island Transportation Management Agency as the Treasure Island Mobility Management Agency and would authorize the board of supervisors to revise or revoke this designation of the transportation management agency and designate a new board or agency to act as the transportation management agency at any time. The bill would provide that the transportation management agency is an independent and autonomous public agency governed by the board of the transportation authority, as designated by the board of supervisors on April 1, 2014, or by any future revised governance as designated

by the board of supervisors, and is a separate and distinct legal entity responsible for its own obligations, debts, and liabilities and not for the obligations, debts, or liabilities of any other agency or entity.

The bill would authorize the transportation management agency to do all acts under its own name that are necessary or convenient for the exercise of its designated powers and the financing of projects, as specified, and would require the agency to adopt an annual budget.

This bill would declare that it is to take effect immediately as an urgency statute.

*The people of the State of California do enact as follows:*

SECTION 1. Section 1967.2 of the Streets and Highways Code is amended to read:

1967.2. For purposes of this chapter, the following terms have the following meanings:

(a) “Authority” means the Treasure Island Development Authority, a nonprofit public benefit corporation established by the board of supervisors that is vested with both redevelopment authority and the power and duty to administer the public trust for commerce, navigation, and fisheries with respect to Treasure Island.

(b) “Board of supervisors” means the Board of Supervisors of the City and County of San Francisco.

(c) “City” means the City and County of San Francisco.

(d) “Congestion pricing fees” means fees that motorists pay to drive in a designated congestion pricing zone that are designed to relieve traffic congestion and promote alternative forms of transportation, and are set and adjusted to reflect traffic patterns, congestion levels, time of day, and other conditions that impact the roadway system.

(e) “Transportation authority” means the San Francisco County Transportation Authority.

(f) “Transportation management agency” means the Treasure Island Mobility Management Agency, formerly the Treasure Island Transportation Management Agency, designated by the board of supervisors pursuant to Section 1967.3.

(g) “Transportation program” means a comprehensive transportation program for Treasure Island designed to achieve the goals set forth in Section 1967.1.

(h) “Treasure Island” means Treasure Island and Yerba Buena Island.

SEC. 2. Section 1967.3 of the Streets and Highways Code is amended to read:

1967.3. The authority is formulating a transportation program in connection with the authority’s redevelopment activities on Treasure Island. The board of supervisors directed that the transportation program ensure adequate and reliable funding for transit service for Treasure Island, including bus transit service provided by the city’s municipal transportation agency, or its successor agency. In formulating the transportation program, the authority shall make recommendations for the governance structure of the transportation management agency. Based on the authority’s recommendations, the board of supervisors may designate a board or agency that shall act as the transportation management agency. The board of supervisors may revise or revoke this designation of the transportation management agency and designate a new board or agency to act as the transportation management agency at any time. The board of supervisors may also designate itself as the transportation management agency. Notwithstanding Chapter 898 of the Statutes of 1997, any subsequent amendments to that chapter, but subject to Section 1967.5, the transportation management agency shall have the exclusive power to do any or all of the following pursuant to the terms of a resolution or ordinance adopted by the board of supervisors:

(a) Adopt and administer the transportation program and implementing rules and regulations.

(b) Recommend to the board of supervisors and the transportation authority an initial fee structure for the imposition of congestion pricing fees applicable to residents and other motorists as they enter or exit Treasure Island in the amount deemed necessary and proper by the transportation management agency to implement the transportation program.

(c) Adopt amendments to the congestion pricing fee structure initially adopted by the board of supervisors and the transportation authority pursuant to subdivision (a) of Section 1967.5, as the transportation management agency deems necessary and

appropriate from time to time to implement the transportation program, based upon a finding that the amendments to the fee have a relationship or benefit to the motor vehicle drivers who are paying the fee.

(d) Administer and collect congestion pricing fees on Treasure Island.

(e) Adopt on-street and off-street parking regulations for Treasure Island, including regulations limiting parking, stopping, standing, or loading and establishing parking privileges and locations, parking meter zones, and other forms of parking regulation similar to those adopted for other areas of San Francisco.

(f) Adopt on-street and off-street parking fees, fines, and penalties for Treasure Island and administer and collect all on-street and off-street parking fees, fines, penalties, and other parking-related revenues on Treasure Island.

(g) Adopt a transit pass fee structure applicable to residents and other users of Treasure Island and administer and collect all Treasure Island transit pass fees.

(h) Fix the rates and charges for services provided or functions performed by the transportation management agency and administer and collect those rates and charges.

(i) Apply for, accept, and administer state, federal, local agency, or other public or private grant funds for transportation purposes.

(j) Administer and collect all other revenues generated by the transportation program.

(k) Undertake studies, performance evaluations, and other mechanisms as it deems necessary and proper to adopt and amend the transportation program with the purpose of relieving transportation-related impacts.

(l) Expend its revenues for any purpose related to the transportation program, including costs of implementation, operation, collection and enforcement, maintenance, construction, and administration under the transportation program.

(m) Enter into contracts, cooperative agreements, and direct funding agreements with private parties and governmental agencies, including city departments, to the extent deemed necessary and proper by the transportation management agency to implement the transportation program, including for any of the following:

(1) The construction and maintenance of transportation facilities serving Treasure Island that are directly related to the transportation program, including design, preconstruction, and other related costs.

(2) Transit capital improvements and operations for services that directly serve Treasure Island.

(3) Notwithstanding Section 40717.9 of the Health and Safety Code, implementation of transportation impact mitigation measures as adopted from time to time to improve or encourage the use of transit and other nonmotor vehicle means of access to Treasure Island.

(n) Adopt rules and regulations governing high-occupancy vehicles pursuant to subdivision (d) of Section 1967.5.

(o) Take all other steps as the transportation management agency deems necessary and proper to implement the transportation program.

SEC. 3. Section 1967.35 is added to the Streets and Highways Code, to read:

1967.35. (a) The transportation management agency is an independent and autonomous public agency governed by the board of the transportation authority, as designated by the board of supervisors on April 1, 2014, or by any future revised governance as designated by the board of supervisors pursuant to Section 1967.3. The transportation management agency is a separate and distinct legal entity responsible for its own obligations, debts, and liabilities and not for the obligations, debts, or liabilities of any other agency or entity.

(b) The transportation management agency is authorized under its own name to do all acts necessary or convenient for the exercise of its designated powers and the financing of projects, including, but not limited to, all of the following:

(1) To employ agents or employees.

(2) To acquire, construct, manage, maintain, lease, or operate any public facility or improvements.

(3) To sue and be sued in its own name.

(4) To invest any money not required for the immediate necessities of the transportation management agency, as it determines is advisable.

(c) The transportation management agency shall adopt an annual budget. Its board members shall be compensated as determined by the transportation management agency and shall be reimbursed

for necessary and reasonable expenses incurred in connection with performing transportation management agency duties. The transportation management agency shall pay all costs required by this section.

(d) The transportation authority may make direct contributions or contributions on a reimbursement-for-cost basis to the transportation management agency in furtherance of the exercise of its powers as designated under Section 1967.3.

SEC. 4. Section 2 of Chapter 317 of the Statutes of 2008 is amended to read:

Sec. 2. (a) The Legislature finds and declares that the adoption and implementation of the transportation program under this act, including the use of the congestion pricing, parking, and transit pass fees in accordance with this act, will provide substantial benefit to (1) the public trust for commerce, navigation, and fisheries by promoting access to Treasure Island by a wide range of local, regional, and statewide visitors, and (2) the people of California and the state highway and regional transportation system by reducing the amount of project-related traffic and vehicle miles traveled on the San Francisco-Oakland Bay Bridge and related system of state and local roadways, reducing congestion and greenhouse gas emissions, improving regional air quality, and increasing ridership on regional multimodal public transit, and is therefore a matter of statewide concern.

(b) (1) Subject to the requirements of this act, the transportation management agency shall be the sole entity or jurisdiction authorized to impose any transportation-related revenue measures on Treasure Island, as specified in Section 1967.3 of the Streets and Highways Code. No ordinance, charter provision, or other provision of local law purporting to impose any similar revenue measure, whether now existing or enacted in the future, shall apply to Treasure Island or the transportation program, and the city and its departments, boards, and commissions are prohibited from exercising in the city's own right any powers that have been granted to the transportation management agency or the board of supervisors under this act.

(2) The transportation management agency, in implementing the transportation program, shall coordinate with the San Francisco Municipal Transportation Agency (SFMTA) in decisions regarding transit service, parking enforcement, traffic signaling, and all other

operational responsibilities for which SFMTA is mutually determined to have operational responsibilities and, consistent with direction from the board of supervisors under Resolution No. 699-06, the transportation management agency shall work with SFMTA to identify adequate and reliable funding as necessary for SFMTA to carry out these responsibilities. This provision is not intended to interfere with the jurisdiction of SFMTA or any successor agency over the real, personal, and financial assets of SFMTA, the authority of SFMTA over contracting, leasing, and purchasing, or the authority of SFMTA to set fares for the San Francisco Municipal Railway.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that the development of the sustainable urban neighborhood for Treasure Island will progress in a timely manner, it is necessary that this act take effect immediately.

















Approved \_\_\_\_\_, 2014

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*Governor*